

DISTRICT	FILE NO.	FILING DATE	J	N/S	O	R	R	23	DEMAND	JUDGE	JURY	DOCKET
OFFICE	YR.	NUMBER	MO.	DAY	YEAR				OTHER	NUMBER	DEM.	YR.
1085/4	76	0488	09	23	76	1	790	5	Inj	8509 8508	D	76
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PLAINTIFFS

DEFENDANTS

W. J. USERY, JR., Secretary of  
Labor, United States Department  
of Labor

PHILLIPS PETROLEUM COMPANY, a  
Corporation.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Amended 8-30-79

CAUSE

Plaintiff brings this action to enjoin defendant from violating the provisions of section 4(a) of the Age Discrimination in Employment Act, and section 15 of the Fair Labor Standards Act, and to recover amounts owing to defendant's employees together with an equal additional amount as liquidated damages. 29 U.S.C. 623(a) and 615.

\* David N. Adair, Jr.

ATTORNEYS

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Tulsa, Oklahoma 74103

583-1777

CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	10-01-76
				JS-6	7-1-81

DATE 1976	NR.	PROCEEDINGS
9-23		Case transferred from USDC for the Western District of Missouri, Southwestern Division, by Order dated 9-17-76. Certified copy of docket sheet and all original pleadings, filed.k
Apr 1	19	Complaint -filed. Summons issued.
	28	Summons, bearing Marshals Return date of service 4-23-76 -filed. \$111.92
	28	Defendant's Motion for an Extension of time within which to respond to plaintiff's application for Designation of Complex Case with Suggestions in Support -filed.
	30	Order Granting Defendant an Extension of time within which to respond to plaintiff's Application for Designation of Complex Case, to and including May 13, 1976, -filed.
May 2	11	Plaintiff's Amendment to Complaint -filed.
	11	Plaintiff's Interrogatories 3, 4, & 5 to defendant -filed. B
3	13	Defendant Phillips Petroleum Company's Suggestions in Opposition to plaintiff's "Application" for Designation of Complex Case - -filed.
4	19	Answer -filed.
Jun	19	SPO No. 1 mailed -filed. Completion date: September 27, 1976 for Discovery
	3	Objections of defendant to Interrogatory Nos. 3 and 4 of plaintiff's Second Set of interrogatories -filed.
	4	Plaintiff's Request for Production -filed.
	4	Plaintiff's Interrogatories 6 through 13 to defendant -filed.
May	21	Defendants' Demand for Jury Trial -filed.
Jun	4	Defendant Phillips Petroleum Company's First Request for Production of Documents -filed.
	4	Defendant Phillips Petroleum Company's First Interrogatories to plaintiff -filed.
	18	Notice of Intention to Object to plaintiff's Request for Production -filed.
	22	Motion for Change of Venue -filed. (defendant)
	28	Plaintiff's Suggestions in Opposition to defendant's Motion for Change of Venue -filed.
Jul	2	Plaintiff's Motion for Extension of Time to Answer or Object to defendants First Interrogatories and First Request for Production of Documents, w/Suggestions -filed.
Jul	6	Order -filed. ORDERED that plaintiff's time to answer or object to defendant's First Interrogatories to plaintiff and defendant's First Request for Production of Documents is extended until July 9, 1976.
	6	Defendant's Reply Suggestions in Support of its Motion for Change of Venue -filed.
	6	Defendant's Answers to plaintiff's Interrogatories 6 through 13 to defendant -filed.
	6	Defendant's Response to plaintiff's Request for Production -filed.
Jul	9	Plaintiff's Response to defendant Phillips Petroleum Company's First Request for Production of Documents -filed.
	9	Plaintiff's Answers to defendant's Phillips Petroleum Company's First Interrogatories -filed. (With identified Exhibits to Interrogatories)
Aug	16	Defendant's Notice to take Depositions -filed.
sep	9	Notice to Counsel mailed -filed. (SPO No. 2 Completion date: November 15, 1976)
	17	Order Transferring Cause -filed. ORDERED that this cause be, and the same hereby is, transferred to the United States District Court for the Northern District of Oklahoma for further proceedings, and it is FURTHER ORDERED that Pre-Trial Order No. 1, issued in this case, be set aside.
	17	Original records and certified copy of docket mailed to Jack C. Silver, Clerk United States District Court, Northern District of Oklahoma, Rm. 411, U.S. Ct. Bldg., Tulsa, Okla. 74103
10-14	5	Entry of appearance of D. E. Hammer for deft. Phillips Petroleum Co., filed.s
10-14		Deposition of Sue Ann Wolf, filed.s
10-18	MO	Parties are directed to hold PT conf. on or before 11-29-76 & file PT Order on or before 12-6-76. (AEB-J)k cps by cert ml
11-1		Exhibits to deposition of Sue Ann Wolf filed 10-14-76, filed. 1m

## CIVIL DOCKET CONTINUATION SHEET

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76-C-488-8

PLAINTIFF	DEFENDANT	DOCKET NO. _____
W. J. Usery, Jr.	Phillips Petroleum Company	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
1976		
11-1	6.	Deft's motion to dismiss for lack of jurisdiction over the subject matter, filed.s
11-1	7.	Deft's brief in support of motion to dismiss, filed.s
11-1	MO	It is ordered by the Court that the pltf. file a responsive brief to deft's motion to dismiss within 10 days.s (AEB-J) cps. mld.
11-8	8.	Pltf's appl. for time til 11-22-76 to respond to deft's mot. to dismiss, filed.k 0 to J
11-10	9.	Order, filed, granting pltf. til 11-22-76 to respond to deft's mot. to dismiss. (AEB-J)k cps mld
11-23	10.	Appli. of pltf. for ext. of time to respond to motion of deft. to dismiss for lack of jurisdiction over the subject matter, filed. lm
11-23	11.	Order, filed, granting pltf ext of time til 11-24-76 to respond to deft's motion to dismiss. (AEB-J)lm cps mld.
11-30	12.	Pltf's Reply Brief to deft's Motion to Dismiss, filed. lm
11-30	13.	Pltf's Motion for Partial S/J on the Statute of Limitations, filed.lm
11-30	14.	Plt'f brief in support of motion for partial S/J, filed. lm
11-30	MO	Ordered by the Court that deft is granted ten days from this date to file a response to pltf's motion for partial summary judgment on the Statute of Limitations. (AEB-J)lm ltrs mld.
11-30	15.	Affidavit of Sue Ann Wolff, filed. lm
11-30	16.	Pltf's appli. for vacation of order setting pretrial conf., filed.lm
12-1	17	Order, filed, vacating order setting case for PT conf. (AEB-J)g cp m.
12-9	18.	Deft's appli. for ext. of time thru 1-10-77 to respond to motion for S/J, filed.lm (o to J)
12-10	19.	Order, filed, granting deft. til 1-10-77 to respond to pltf's mot. for partial S/J & to pltf's reply brief to deft's mot. to dismiss. (AEB-J)k cps mld
1977		
1-10	20.	Deft's supplemental brief in response to pltf's reply brief to deft's mot. to dismiss, filed.k
1-10	21.	Deft's brief in opposition to pltf's mot. for partial S/J, filed.k
2-1	22.	Pltf's addition of names and employee identification numbers or addresses to Appendix A of the Complaint, filed. lm
2-1	23.	Pltf's deletion of names and employee identification numbers from Appendix A of the Complaint, filed. lm
3-29	24.	Order, filed, directing parties to file response within 20 days to matter of abatement of case pending decision by Tenth Circuit Court of Appeals in case number 74-C-474-C, Brennan v. Sun Oil Co. of Pa. (AEB-J)k cps mld
4-5	25.	Pltf's response in opposition to abatement of case, filed.k
4-8	26	Deft. response to Order of March 29, 1977. fld. ho
5-11	MO:	Case referred to Magistrate Robert S. Rizley for Findings and Recommendations on all motions, (AEB-J)jj

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE <u>4</u> OF <u>2</u> PAGES
DATE 1977	NR.	PROCEEDINGS	
5-13	27.	Pltf.'s Mot. Under Rule 37(a) to Compel Answers to Interrogs. and Production and Inspection of Documents, filed. v	
5-13	28.	Suggestions in Support of Pltf.'s Mot. to Compel Answers to Interrogs. & Production and Inspection of Documents, fld. v	
5-13	MO	It is ordered by the Court that the deft. file a responsive brief w/in 10 days to pltf's mot. to compel answers to interrogs. & production and inspection of documents. (AEB-J)k to 6-15-77 cps mld	
5-26	29.	Deft's appli. for ext. of time/ to respond to pltf's motion to compel answers to interrogs. and production and inspection of documents, filed. lm (o to J)	
5-27	30	Order, fld. granting Defts. appl. for ext. of time until 6-15-77 to respond to Pltfs. mot. to compel ans. to interrog. (AEB-J) cps mld. ho	
6-8	MO	<del>Case set for hrg. before Mag. on pending motions on 6-24-77 at 11:30 a.m. (RSR-Mag)k ntc by KT</del>	
6-15	31	Deft. brief in opposition to Pltf. mot. under rule 37(a) to compel ans. to interrog. and production and inspection of documents. fld. ho	
6-24	Min	Case called for hrg. on pending mots. Parties represented. Deft's mot. to dismiss and pltf's mot. for partial S/J taken under advisement. Mag. to prepare findings & recommendations. Pltf's mot. to compel answers to interrogs. and production and inspection of documents passed to 7-22-77 pending parties' attempt to settle questions raised by said motion. (RSR-Mag)k	
7-1	32.	Copy of Supreme Court decision in Occidental Life Ins. Co. vs. EEOC, filed by pltf. counsel.k	
7-18	MO	Case set for hrg. on pltf's mot. to compel answers to interrogs. and production of documents before the Mag. on 8-26-77 at 1:30 p.m. (RSR-Mag)k ntc by KT	
7-18	--	Transcript of motions heard by the Mag. on 6-24-77, filed. (Linda Walker, L.S.R. Fees: \$154.00, paid by pltf.)k	
8-9	MO:	Case set for hearing on pending motions before Mag. Rizley on 8-26-77, at 1:30 P.M. (RSR-Mag) b nts by KT	
8-26	Min	Case called for hrg. on pending mots. Parties neither present nor represented. Pltf's mot. to compel withdrawn. Deft's mot. to dismiss & pltf's mot. for partial S/J taken under advisement. (RSR-Mag)k	
9-2	33	Order, fld. for the production of documents, (AEB-J) cps mld. ho	
9-29	34	Pltf. notice to take depo. of C. F. Anderson on 10-12-77 in Denver; SESCO Asher & Clyde Galloway on 10-12-77 in Denver; Malcolm Chisolm on 10-13-77 in Denver; R. L. Eliot on 10-14-77 in Fort Collins, Co.; W. S. Peterson on 10-18-77 in Salt Lake City, Utah; & G. R. Eads on 10-19-77 in Phoenix, Arizona. fld. ho	
10-5	35	Deft. mot. for protective order to stay discovery. fld. ho	
10-5	36	Deft. opening brief in supp. of mot. for protective order to stay discovery. fld. ho	
10-5	MO	It is ordered that the Pltf. is granted 10 days to file a responsive brief to Defts. mot. for protective order to stay discovery. (AEB-J) cps mld. ho	
10-5	37	Entry of Appearance of Lance Stockwell as additional counsel for Deft. Phillips Petro. Co. fld. ho	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-488</u>
Sec. of Labor		Phillips Petroleum Co.	PAGE <u>5</u> OF <u>3</u> <del>sheets</del> <del>pages</del>
DATE 1977	NR.	PROCEEDINGS	
10-7	38.	Pltf's suggestions in opposition to deft's mot. for protective order to stay discovery, filed. lm	
10-7	Min	Case called for hrg. before Mag. Rizley on deft's mot. for protective order. Parties rep. Mag. recommends that deft's mot. for protective order to stay discovery be overruled; as to the discovery schedule for 10-12, 13 & 19; that the mot. be considered further and passed to 10-21 at 2:45 p.m.; that pltf. file by 10-18-77 a schedule & plan for discovery to be conducted over the next 8 months. Pltf. to prepare F&R of Mag. in 10 days. (RSR-Mag)b	
10-18	38a	Pltf's first plan for deposition discovery, filed.k	
10-21	39.	Pltf's interros. 14 & 15 to deft., fld. ho	
10-21	40.	Pltf's request for production of documents under Rule 34, fld. ho	
10-21	Min	Case called for continued hrg. on deft's mot. for protective order to stay discovery. Parties represented. Mag. recommends that said mot. be sustained in part and overruled in part. Deft. counsel directed to prepare F&R of the Mag. w/in 10 days. (RSR-Mag)k	
10-31	--	Depo. of Guy Raymond Eads taken before Charles T. Edwards, RPR, on 10-19-77 in Phoenix, Arizona, fld. ho	
11-3	41.	Findings & recommendation of the Mag., filed. Mag. recommends that deft's mot. for protective order to stay discovery should be sustained in part & overruled in part. (RSR-Mag) ho cps mld	
11-7	42.	Pltf's request for production of documents, filed. lm	
11-7	43.	Deft's answers to pltf's interros. 14 & 15, filed. ho	
11-15	44.	Order, filed, granting deft's mot. for protective order in part. (AEB-J)k cps mld	
11-19	44a	Pltf's first application to take depositions, filed.k	
11-29	45.	Deft's memorandum in opposition to pltf's first appl. to take depositions, filed.k	
12-5		Depo. of SESCO H. Asher & C. F. Anderson, fld. ho	
12-9	MO	Case set for hrg. on pltf's first appl. to take depositions before the Mag. on 12-20-77 at 9:30 a.m. (RSR-Mag)k ntc by KT	
12-16		Deposition of Malley Chisholm, filed. g (Fw'd from WDMo.)	
12-20	Min	Case called for hrg. on pltf's first appl. to take depositions. Parties represented. Mag. recommends mot. be denied. Deft. counsel to prepare formal Order w/in 10 days. Parties to prepare stipulation covering certain facts as to the expected testimony of Govt. witnesses. Govt. permitted to depose witnesses who are in poor health and/or who are 70 yrs. of age or older upon appl. to the Court. (RSR-Mag)k	
<u>1978</u>			
3-3	46	Findings & Recommendations of the Mag., filed. Mag. recommends that pltf's first appl. to take depositions be overruled subject to Order of the Court of 11-15-77 being modified to permit pltf. to take depositions of persons over 70 and those in ill health upon appl. to the Court. Pltf. to submit to deft. a proposed stipulation as to expected testimony of deponents & deft. granted 30 days from receipt of stip. to respond. (RSR-Mag)k cps mld	
3-14	47	Order, filed, approving F&R of the Mag. (AEB-J)k cps mld	
6-27	MO	Case set for hrg. before the Mag. on discovery procedures on 7-17-78 at 2:30 p.m. (RSR-Mag)k ntc by KT	

## CIVIL DOCKET CONTINUATION SHEET

Daugherty

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-488</u>
Secretary of Labor		Phillips Petroleum Co.	PAGE <u>6</u> OF <u>3</u> sheets <del>PAGES</del>
DATE	NR.	PROCEEDINGS	
1978			
7-17	MO:	Hearing on discovery procedures is passed on request of the parties. To be reset in approximately 60 days. (RSR-Mag) b	
7-21	--	Eight (8) tapes, filed & sealed per order of 9-2-77 (in vault) b	
9-25	MO	Case set for hrg. on discovery procedures before the Mag. on 10-16-78 at 3:30 p.m. (RSR-Mag)k ntc by KT	
10-16	Min.	Case called for hearing on discovery procedures. Parties present. Pltf. is to prepare Protective Order in connection with the use of computer tapes w/in 10 days. (RSR-Mag) b	
11-7	48	Findings & Recommendations of the Mag., filed. Mag. recommends that pltf's request to modify Court's Order of the production of documents entered on 9-2-77 be granted. (RSR-Mag)k cps mld O to J	
11-9	49	Order for the production of documents, filed, modifying Court's Order for production entered on 9-2-77. (AEB-J)k cps mld	
11-13	50	Deft. certification, re: production of documents, fld. ho	
12-26	MO	Recommendation by the Mag. regarding deft's mot. to dismiss for lack of jurisdiction over subject matter & pltf's mot. for partial S/J on statute of limitations is stayed pending outcome of appeal in case no. 74-C-474-C, Brennan vs Sun Oil Co. of Pa., to the 10th Circuit. (RSR-Mag)k	
1979			
3-8	51	Deft's second suppl. brief in support of mot. to dismiss for lack of jurisdiction over the subject matter, filed.k	
3-12	MO:	Case set for hrg. deft's motion to dismiss & pltf's motion for partial S/J on 3-30-79, at 11:30 A.M. (RSR-Mag)b nts kt	
3-16	MO:	Case transferred to Judge Fred Daugherty. (JCS-Clk)	
3-26	52	Pltf. response to Defts. second supplemental brief in supp. of Defts. mot. to dismiss. fld. ho	
3-30	Min:	Case called for hrg. before Mag. on pltf. mo/partial SJ and deft. mo/dismiss. Statements made. Deft. mo/dismiss overruled. Re pltf. mo/partial SJ - pltf. to file suppl. brief in 10 days; deft. to reply 10 days thereafter. Pltf. to furnish deft. w/printouts prior to commencing any further discovery. Deft. to withdraw tapes which had been presented in compliance w/initial Order for production of documents. Pltf. counsel directed to prepare F&R and proposed order in 10 days. (RSR-Mag)rm	
4-16	--	Reporters transcript of proceedings had on 3-30-79, Hrg. before Magistrate Rizley, before Becky Hermes Thompson, LSR, 17 pgs. fld. ho	
4-25	53	Mag. F/R, fld. (RSR-Mag)ho c/m	
5-10	54	ORDER, overruling Defts. mot. to dismiss for lack of jurisdiction. (FD-J)ho c/m	
6-4	MO:	HEARING on appl/designate as complex case & pltf. mo/partial SJ is set for Monday, 6/18/79 at 11:30 a.m. before Magistrate. (RSR-Mag)rm - notice by KT	

DC 111A  
(Rev. 1/75)

ELLISON

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO
Secretary of Labor		Phillips Petroleum Co.	76-C-488
			PAGE 7 OF 4 PAGES
DATE	NR.	PROCEEDINGS	
1979			
6-14	MO	ORDER, Upon advice from the parties that oral argument is waived, hrg. before Mag. set for 6-18-79 at 11:30 a.m. is stricken. (RSR-Mag)ho ntc. by KT	
7-2	55	ADDITION OF NAMES, by Pltf. & employee identification numbers or addresses to apendix A of the compl. ho	
7-11	MO	ORDER, It is recommended that Pltfs. appl. to designate case as complex case be denied & Deft. is diredted to prepare F/R of Mag. & a proposed Order w/in 10 days. It is recommended that Pltfs. mot. for partial S/J on question of statute of limitations be sustained & Pltf. is directed to prepare F/R of Mag. & a proposed Order w/in 10 days. (RSR-Mag)ho ntc. by KT.	
7-23	56	INTERROG. of Pltf. to Deft. ho	
8-6	57	FINDINGS & RECOMMENDATION of Mag., Mag. recommends that Pltfs. for partial S/J on the Statute of Limitations be sustained & that Pltfs. appl. for designation of this case as a complex case be denied. (RSR-Mag)ho c/m	
8-10	58	MOTION of EEOC to substitute them for Sec. of Labor as Pltf. ho O to J.	
8-10	59	BRIEF of EEOC in supp. of mot. to substitute EEOC as Pltf. ho	
8-16	60	ANSWERS TO INTERROG. by Deft. to Pltfs. interrog. ho	
8-16	61	OBJECTIONS & BRIEF of Deft. to Mag. F/R. ho re: Stat. of Limitations.	
8-16	MO	ORDER, Pltf. is ordered to file a responsive brief by 8-31-79 to Deft. Objections to Mag. F/R. (FD-J)ho c/m	
8-30	62	ORDER, It is ordered that the EEOC is sub. as Pltf. the caption is to be so amended H. Alice Jacks, et al are relieved of all further obligations to the Ct. (FD-J)ho c/m	
9-4	63	BRIEF in support of F&R of Mag. regarding statute of limit. & in opposition to deft's objections. b	
9-13	64	RESPONSE of Deft. to brief in supp. of F/R of Mag. regarding the statute of limitations & in opposition to Defts. objections. ho	
11-9	MO:	CASE TRANSFERRED TO JUDGE JAMES O. ELLISON. (JCS-CLK)jc	
1980			
4-17	65	ORDER that pltf's mot/partial S/J on Statute of Limitations is granted & pltf's appl. for designation of case as complex is denied. (JOE-J)k cps mld	



## CIVIL DOCKET CONTINUATION SHEET

**JUDGE ELLISON**

PLAINTIFF		DEFENDANT	DOCKET NO. _____
EEOC		Phillips Petroleum	PAGE <u>8</u> OF <u>4</u> PAGES
DATE 1980	NR.	PROCEEDINGS	
4-29	MO:	PT HRG set 7-2-80, 4:00 P.M. Discov. to be complt by 6-13-80; PT memo or order due 6-19-80(JOE-J)b n/m	
6-6	66	MOTION of pltf. for bifurcated trial on the issues of liability of the deft. & individual remedies of former employees.k	
6-6	67	BRIEF in support of pltf's mot/bifurcated trial.k	
6-6	MO	DEFENDANT is ordered to file a responsive brief by 6-20-80 to pltf's mot/bifurcated trial. (JOE-J)k cps mld	
6-12	68	MOTION of pltf. to continue PT conf. & to extend time for comple- tion of discovery.k (O) 6-20	
6-12	MO:	ORDERED that deft file a resp on or before 6-25-80 to pltf's mot/ continue PT conf & discovery.(JOE-J)ra parties phoned	
6-20	69	RESPONSE of deft. to pltf's mot/bifurcated trial.k	
6-20	70	RESPONSE of deft. to pltf's mot/continue PT conf. & to extend time for completion of discovery.k	
6-27	71	ORDER that pltf's mot/continue PT Conf and to ext time for completion of discovery is DENIED insofar as it seeks resetting of PT Hrg. (Question of extending discovery to be addressed at PT Conf on 7-2)Parties are directed to file PT Memos before 7-2-80.(JOE- J)ra c/m	
7-2	Min:	PT HRG. Pltf. allowed to amend complaint. Deft. given lve to file PT memo. Parties to supply Ct. w/authority on question of Jury or N/J. At this time case is set for Jury trial on 11-17-80, 9:30 A.M. PTO, req. instrcuts., voir dire & final list of wits. due 11-1-80. (ETT: 3MOS). Pltf. to advise Ct. after consulting w/parties as to more definite time for trial by 8-1-80.(JOE-J)b	
7-2	72	PRE-TRIAL MEMO of Pltf. b	
7-3	73	DEFT'S PROPOSED pre-trial order. hm	
7-28	74	MOTION of pltf. to strike deft's request for jury trial.k	
7-28	75	BRIEF in support of pltf's mot/strike request for jury trial.k	
8-4	76	BRIEF in Opposition of Deft. to pltf's mot/strike request for jury trial. b	
10-15	MO:	J/T set 11-17-80, 9:30 A.M. Req. instrs., voir dire & trial briefs due 11-3-80(JOE-J)b n/m	



## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-488</u>
EEOC		Phillips Pet. /	PAGE <u>9</u> OF <u>5</u> PAGES
DATE 1980	NR.	PROCEEDINGS	
10-15	MO:	FINAL PT CONF. set 11-6-80, 9:00 a.m. (JOE-J)b n/m	
10-27	77	REQUEST of pltf. for hrg. on pltf's mot/strike request for jury trial & on mot/bifurcated trial.k cpy/J	
10-30	MO:	PT HRG scheduled on 11-6-80 passed from 9:00 a.m. to <u>2:30 P.M.</u> (JOE-J)b parties called	
11-4	78	AGREED MOTION to reset pretrial & arguments on mots. b 0 to J	
11-4	79	ORDER resetting PT conf. & arguments on mot. on 11-7-80, at 3:00 P.M. (JOE-J)b c/m & phoned Gruben who is calling defts. co.	
11-7	Min:	PT HRG. & hrg on motions. Pltf's mot/strike jury & for bifurcation are granted. Pltf. directed to comply w/Ct. order of 11-9-78 in all regards. Ct. denies Govt's request to extend discovery. Case stricken from Jury dkt of 11-17-80. <u>N/J trial set 4-1-81, 9:30 a.m. (ETT: 1 mo)</u> Pltf. to prepare & submit PTO to deft by <u>12-15-80</u> & agreed-to PTO to be submitted to Court by 1-2-81. (JOE-J)b	
11-20	--	TRANSCRIPT of proceedings had on 11-7-80 -PT conf.46 pgs. (GRD-CSR)b	
12-19 1981	80	PROPOSED PRE-TRIAL ORDER of pltf.mm	
1-2	81	MEMO. of deft. regarding pre-trial order.mm	
1-2	82	PROPOSED PRE-TRIAL ORDER of deft.mm	
1-5	83	MOTION of pltf. for clarification of 11-9-78 Order, or in the alternative, mot/modification of said order.k	
1-5	84	BRIEF in support of pltf's mot/clarification of 11-9-78 Order or alternatively for modification of said order.k	
1-5	MO	DEFENDANT is ordered to file a responsive brief by 1-19-81 to pltf's mot/clarification of 11-9-78 Order or alternatively for modification of said order. (JOE-J)k cps mld	
1-19	85	RESPONSE of deft to plt's motion for clarification of order of 11-9-78 or in the alternative motion for modification of said order. nd	
1-19	86	REQUEST by deft. for oral argument.nd	
2-5	MO:	CONFERENCE & ORAL ARGUMENT set 3-13-81, 1:30 P.M. (JOE-J)b n/m	
2-17	87	MOTION of Pltf. for additional pt hrg. pt	
2-17	88	BRIEF of Pltf. in support of mot. for additional pt hrg. pt	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION		PHILLIPS PETROLEUM COMPANY	PAGE <u>810</u> OF <u>5</u> PAGES
DATE	NR.	PROCEEDINGS	
1981			
2-17	89	PLAINTIFF'S ANALYSIS regarding Deft's proposed PTO dated 12-31-80.pt	
2-18	MO	DEFENDANT is ordered to file a responsive brief by 3-3-81 to Pltf's mot. for additional PT hrg. (JOE-J) pt cps/mld	
2-25	MO:	Tr. bfs due 3-23-81. N/J trial set 4-1-81, 9:30 A.M/(JOE-J)b n/m	
3-3	90	PLAINTIFF's RESPONSE to motion for additional pre-trial hrg.nd	
3-4	MO:	N/J trial passed from 4-1-81 to 4-2-81, 9:30 a.m.(JOE-J)b n/m	
3-13	Min:	HRG. on pltf's mot/clar. or modific. of Order of 11-9-78. Mot. denied. Ct. will enter order. Pltf. to file certificate of compliance by Apr. 1. Agreed PTO which will include rulings this date due 4-1-81. Pltf. given 10 days to notify deft. of any addl. witnesses. (JOE-J)b	
3-18	91	ORDER on hrg. held 3-13-81.(JOE-J) cps/mld.nd	
3-20	--	TRANSCRIPT of proceedings had on 3-13-81 (conf. & oral arg.)hm	
4-2	92	CERTIFICATE of Pltf. that cps of computer output has been furnished to deft. b	
4-2	Min:	Case called for N/J trial. Parties ordered to submit agreed PTO by 5:00 p.m. this date. Pltf. given to 4-3-81, 5:00 to suppl. wit. list & provide to deft. Trial to commence 4-7-81, 9:30 a.m. (JOE-J)b	
4-3	93	PRE-TRIAL ORDER(JOE-J)b	
4-3	--	RETURNS on subpoena. Served the following men thru their atty., Charles H. Purdy. E. W. Batchelor on 3-31-81, \$2.00; W. R. Thomas on 3-31-81, \$14.00; & George J. Morrison on 3-31-81, \$2.00. pt	
4-3	94	PLTF'S SUPPLEMENT to attachment C of the PTO of 4-2-81. pt	
4-6	MO:	N/J trial is passed to 4-14-81, 9:30 a.m.(JOE-J)b n/phone & m1	
4-16	--	PARTIAL TRANSCRIPT of proceed. on 4-16-81, test. of Carlson, 80 pgs. MSR-CSR. b	
4-21	95	MOTION of Deft. to dismiss at close of pltf's evidence. b	
4-24	MIN:	NON-JURY TRIAL held 4-14,4-15,4-16,4-17,4-20,21,23 & 24. At conclusion of Pltf. case Ct. rules they failed to establish pattern & practice & that portion of case is dismissed. Parties ordered to submit proposed F/F & C/L & supporting brfs by 6-8-81, 5:00 p.m. Ct. will enter final Judgment(JOE-J)b	
4-24	--	TRIAL EXHIBITS in ex. rm. b	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION		PHILLIPS PETROLEUM COMPANY	PAGE <u>11</u> OF <u>6</u> PAGES
DATE	NR.	PROCEEDINGS	
1981			
4-24	MO	Bernard V. O'Nail, Jr. received from Court box of 8 computer tapes submitted 7-21-78 pursuant to order of 11-9-78. pt	
4-28	--	REPORTER'S transcript of proceedings on 4-24-81. hm	
5-29	--	TRANSCRIPT of proceedings 4-2-81 N/J trial. hm	
6-8	96	DEFT'S proposed F/F & C/L. hm	
6-8	97	MEMORANDUM of deft. in support of its proposed F/F & C/L. hm	
6-9	98	PROPOSED F/F & C/L of pltf. jc	
6-9	99	BRIEF in support of proposed F/F & C/L of pltf. jc (c/m pltf)	
6-23	100	FINDINGS/F & C/L. (JOE-J) (c/m ptys) jc	
6-23	101	JUDGEMENT entered in favor of deft & against pltf on all of pltf's claims. (JOE-J) (c/m ptys) jc	
8-20	102	NOTICE of appeal by pltf. from Judg. of 6/23/81.rm - c/m USCA (NO FEES, GOVT. AGENCY)	
8-31	---	LTR. from 10th Cir., assigning No. 81-1974. rm	
8-31	--	TRANSCRIPT of proceedings 4-14-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-15-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-16-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-17-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-20-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-21-81 N/J trial. dm	
8-31	---	TRANSCRIPT of proceedings 4-22-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-23-81 N/J trial. dm	
8-31	--	TRANSCRIPT of proceedings 4-24-81 N/J trial. dm	
8-31	103	NOTICE of tr. order (all tr. already filed)rm - c/m USCA	
8-31	104	DESIGNATION of record on appeal by appellant. rm	
9-3	105	SUPPL. designation of record on appeal by appellant. rm	
9-4	106	DESIGNATION of record on appeal by appellee. rm	
9-4	---	APPEAL RECORD (13 vols) transmitted to 10th Cir. rm	
11-16	---	SUPPL. APPEAL VOL. I transmitted to 10th Cir. at parties request.rm	

